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## Before the FEDERAL COMMUNICATIONS COMMISSION Washington, D.C.

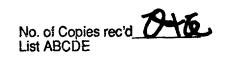
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	Federal Communications Commission
In re Applications of	MM Docket No. 97-77
GREATER WASHINGTON EDUCATIONAL	
TELECOMMUNICATIONS )	
ASSOCIATION, INC.	File No. BPED-930617MD
Leonardtown, Maryland	
	BOCKET FILE COPY ORIGINAL
For a Construction Permit for a	BOSKET HILE COPY OF THE
New Noncommercial Educational FM Station	
COLUMBIA UNION COLLEGE	)
BROADCASTING, INC.	File No. BPED-930723MB
Takoma Park, Maryland	)
For Modification of Facilities of WGTS-FM,	)
Takoma Park, Maryland	
To: Richard L. Sippel	
Administrative Law Judge	

## **JOINT PREHEARING REPORT**

Greater Washington Educational Telecommunications Association, Inc. ("GWETA") and Columbia Union College Broadcasting, Inc. ("CUC"), by their attorneys, submit this Joint Report in response to the Presiding Judge's <u>Prehearing Conference Order</u> in the referenced proceeding.

The parties report that, on March 20, 1997, counsel for and principals of the parties met at the Offices of GWETA for the Preconference Meeting required by the <u>Order</u>. Counsel for the parties, and their principals, have also had several telephone conversations relating to the issues in this proceeding. As of this time, the parties report the following.



With respect to settlement of this proceeding, the parties have discussed a variety of possible resolutions ranging from dismissal of applications in exchange for reimbursement of expenses to engineering changes in the proposals to eliminate the mutual exclusivity. As of this time, the parties cannot report that they have reached a settlement. Both parties, however, are continuing to consult with engineering consultants with respect to a possible technical solution.

With respect to possible share-time arrangments, as noted above, the parties have discussed this possibility as a resolution to the mutual exclusivity, but have not agreed that such an approach is mutually acceptable.

With respect to the scope of issues in this proceeding, the parties have not sought to enlarge or delete issues specified in the <u>Hearing Designation Order</u>. They understand that the issues in the proceeding are quite narrow in scope, relating exclusively to the Section 307(b) issue and the issue of possible share-time arrangements.

With respect to a common engineer to prepare hearing exhibits on the available noncommercial educational FM signals within the respective proposed service areas, the parties agree that a common engineer should be retained. The parties are confident that they can agree on a common engineer for this purpose.

With respect to the scope of discovery, the parties at this time believe that limited mutual requests for documents related to coverage studies and demographic data should be employed, and they believe that they will have no difficulty agreeing on the details of such requests. The parties contemplate that the mutual requests will be agreed to in the near term, and that documents responsive to the requests will be exchanged by May 15, 1997. They do not at this time believe that other documents will be requested. Nor do they believe at this time that

depositions will be necessary. As reflected in the <u>Order</u>, the parties do not contemplate the use of interrogatories.

At this time, the parties are unaware of any contested documents which will be sought by motion, and do not believe that any such motion will be forthcoming. The parties also do not believe that subpoenas will be necessary for witnesses. They represent that a joint engineer shall be retained.

Respectfully submitted,

GREATER WASHINGTON EDUCATIONAL TELECOMMUNICATIONS ASSOCIATION, INC.

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Dow, Lohnes & Albertson, pllc 1200 New Hampshire Avenue, NW Washington, DC 20036-6802 202-776-2571 Its Counsel

COLUMBIA UNION COLLEGE BROADCASTING, INC.

By: Bruce Eisen/TDG

Kaye, Scholer, Fierman, Hays & Handler, llp 901 Fifthteenth Street, NW Washington, DC 20005-2327 202-682-3538 Its Counsel

April 14, 1997

## **CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing "Joint Prehearing Report" was served this 14th day of April, 1997, via hand-delivery or first class United States Mail, postage prepaid, upon the following:

Honorable Richard L. Sippel\*
Administrative Law Judge
Federal Communications Commission
2000 L Street, N.W., Room 225
Washington, D.C. 20554

James Shook, Esq.\*
Compliance and Information Division
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